

### REMARKS

This application has been reviewed in light of the Office Action dated August 23, 2006. Claims 1, 2, and 5-14 are presented for examination. Claims 1, 5-7, 10-12, and 14 have been amended to define still more clearly what Applicants regard as their invention. Claims 3 and 4 have been canceled, without prejudice or disclaimer of subject matter. Claims 1, 11, and 14 are in independent form. Favorable reconsideration is requested.

The Office Action objected to the drawings as failing to comply with 37 C.F.R. § 1.84(p)(5) because they include references numbers not mentioned in the description. The specification has been amended hereby to add the missing numbers. Accordingly, it is believed that the objection to the drawings has been remedied, and its withdrawal is therefore respectfully requested.

Claim 12 was rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter.

Claim 12 has been amended to recite “a control program stored in a computer-readable medium . . .” Accordingly, it is believed that the rejection under Section 101 has been obviated, and its withdrawal is therefore respectfully requested.

Claim 1 and 3-14 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent 7,062,532 (*Sweat*) in view of U.S. Patent 5,933,825 (*McClaghry*); and Claim 2 was rejected as being obvious from *Sweat* in view of *McClaghry* and further in view of U.S. Patent 6,215,495 (*Grantham*).

First, cancellation of Claims 3 and 4 renders the rejection of those claims moot.

According to an aspect of at least one embodiment of the invention to which Claim 1 relates, an exclusive control right acquisition method to govern the allocation of exclusive control among various terminals that are concurrently using a virtual space, such as is used in remote meeting systems, network gaming, cooperative design systems, etc. This method is based in particular, on the hierarchical structure of the virtual space.

Claim 1 is directed to an information processing method for setting an exclusive control right of a data item by a specific process in a system in which a plurality of processes that can communicate with each other via an information transmission medium share data including a plurality of data items, the method including designating a desired data item for which the exclusive control right is to be set, in a first designation step. In a retrieval step, a data item which belongs to a lower layer with respect to the designated data item based on the hierarchical structure information of the plurality of data items is retrieved. In a determination step, it is determined whether or not an exclusive control right of another process is set for each data item retrieved in the retrieval step, and in a setting step, the exclusive control right for the specific process is set as to the designated data item and as to a data item retrieved in the retrieval step, when it is determined in the determination step that an exclusive control right by another process is not set as to the retrieved data item.

Among notable features of the method of Claim 1, are the setting of an exclusive control right by an specific process to data items, to which no exclusive control right is set by another process, including a designated data item and a data item belonging to a lower layer than the designated data item.

*Sweat*, as understood by Applicants, relates to a method and apparatus for

drawing collaboration on a network. In particular, *Sweat* relates to organizing and providing access to information on a computer for organizing and providing access to architectural drawings, files, and information over a network such as the Internet.

The Office Action at page 5 concedes that *Sweat* does not disclose the claimed retrieval and setting steps, and cites *McClaghry* for these features.

*McClaghry*, as understood by Applicants, relates to a locking scheme to arbitrate thread access to file system objects. In particular, the locking scheme allows multiple threads simultaneous access to file system objects for certain concurrently compatible operations, while forbidding concurrently incompatible operations.

Even if *McClaghry* describes setting a control right to a designated data item and to data items belonging to a layer lower than the designated data item, at most *McClaghry* is determining whether a lock is available regarding only the designated data item. Applicants submit that nothing in *McClaghry* would disclose or suggest determining whether an exclusive control right belonging to another process is set for each data item retrieved as belonging to a lower layer than a designated data item; much less the setting of an exclusive control right by a specific process to a data item, to which no exclusive control right is set for another process, and belonging to a lower layer than the designated data item, as recited in Claim 1.

Accordingly, Claim 1 is believed to be clearly allowable over *Sweat* or *McClaghry*, either separately or in any permissible combination (if any).

Independent Claims 11 and 14 each recite features similar in many relevant aspects to those discussed above with respect to Claim 1, and are also believed to be patentable over *Sweat* or *McClaghry* for at least the reasons discussed above.


A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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